

Message Text

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ACTION SCS-03

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E.O. 11652: N/A
TAGS: SNAR, TH
SUBJECT: HEAVY SENTENCES FOR NARCOTICS TRAFFICKERS IN THAILAND

REF: BANGKOK 34735 (NOTAL)

1. REFTEL REPORTING LIFE IMPRISONMENT AND 33 YEARS FOR TWO AMERICANS CONVICTED IN BANGKOK DEC 28 OF NARCOTICS TRAFFICKING IS NOT RPT NOT ISOLATED EXAMPLE BUT IS PART OF PATTERN OF HEAVY SENTENCES WHICH THAI COURTS HAVE HANDED DOWN OVER PAST SIX MONTHS, IN PARTICULAR. SENTENCES OF THAI NATIONALS HAVE BEEN AS HEAVY AS THOSE HANDED DOWN IN CASES INVOLVING FOREIGN NATIONALS. WE RECALL FOLLOWING EXAMPLES TO DEPT (ALREADY REPORTED, BUT THEIR CUMULATIVE EFFECT MAKES THE POINT).

2. NOV 30, 1976: THAI CITIZEN HONG NITAWATCHARARANG SENTENCED TO 120 YEARS FOR POSSESSION OF NARCOTICS. HIS SISTER, SUNARTHA, WAS ARRESTED WITH HIM IN MARCH 1976, FOR POSSESSION OF FOUR KILOGRAMS OF NO. 3 HEROIN. SHE IS AWAITING TRIAL IN JUVENILE COURT.

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3. OCT 4, 1976: THAI CITIZEN CHAIYUT THONDUTSADI SENTENCED TO LIFE IMPRISONMENT FOR SMUGGLING 6.4 KILOGRAMS OF NO. 3 HEROIN INTO THAILAND FROM MALAYSIA. HE WAS ARRESTED IN SEPT, 1975. AUSTRALIAN BRIAN WARD SENTENCED SAME DAY TO 33 YEARS FOR POSSESSION OF 950 GRAMS OF NO. 4 HEROIN. HE WAS ARRESTED IN MAY, 1976. HONG KONG CHINESE WONG CHOI MUNG SENTENCED TO 30 YEARS (LATER REDUCED TO 15 YEARS AFTER HE TURNED STATE'S EVIDENCE) FOR POSSESSION OF THREE KILOGRAMS OF NO. 3 HEROIN. HE WAS ARRESTED IN JULY, 1976.

4. AUG 26, 1976: FRENCH CITIZEN MICHEL LIABERT SENTENCED TO 16 YEARS FOR ATTEMPTING TO SMUGGLE 10 KILOGRAMS OF FIRST GRADE MORPHINE OUT OF THAILAND. LIABERT PLEADED GUILTY, AND JUDGE REDUCED SENTENCE TO EIGHT YEARS.

5. JUNE, 1976: AMERICAN CITIZEN ARTHUR KRUEGER SENTENCED TO 16 YEARS (LATER REDUCED TO 12 YEARS) FOR ATTEMPTING TO SMUGGLE TWO KILOGRAMS OF NO. 4 HEROIN OUT OF THAILAND IN MAY, 1975. AMCIT RICHARD JENARI ARRESTED AT SAME TIME AND RECEIVED SAME SENTENCE.

6. MAY 25, 1976: MALAYSIAN CITIZEN LU PANG KIA SENTENCED TO 40 YEARS FOR TRAFFICKING IN OPIUM. LU WAS ARRESTED IN JULY, 1973. LU'S THAI ASSOCIATE, UDON ASAWAITHIWATNA, RECEIVED SAME SENTENCE.

7. COMENT: WHEN GOOD CASES CAN BE MADE AGAINST THOSE ACCUSED OF NARCOTICS TRAFFICKING, THAI COURTS ARE WILLING TO HAND DOWN HEAVY SENTENCE, REGARDLESS OF NATIONALITY, AS ABOVE DECISIONS INDICATE.
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